The Honorable Ricardo S. Martinez

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KENNETH FLEMING, JOHN DOE, R.K., and T.D.,

Plaintiffs,

٧.

THE CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, a/d/a "MORMON CHURCH"; LDS SOCIAL SERVICES a/d/a LDS FAMILY SERVICES, a Utah corporation,

Defendants.

NO. 04-2338 RSM

[PROPOSED] ORDER GRANTING
DEFENDANT'S IN LIMINE
MOTION TO EXCLUDE
EVIDENCE OF: (1) LOHOLT'S
OTHER ACTS OF ABUSE; (2)
DAMAGES SUFFERED BY
OTHER VICTIMS; AND (3)
DEFENDANTS' SETTLEMENTS
WITH OTHERS

THIS MATTER was brought before the Court upon the Defendant's in Limine Motion to

Exclude Evidence of: (1) Loholt's Other Acts of Abuse; (2) Damages Suffered by Other

Victims; and (3) Defendants' Settlements with Others. The Court has considered the motion,

Plaintiff's opposition and Defendants' reply.

Based upon the foregoing, the motion is GRANTED as follows:

ORDER - 1 No. 04-2338 RSM GORDON MURRAY TILDEN LLP 1001 Fourth Avenue, Suite 4000 Seattle, WA 98154 Phone (206) 467-6477 Fax (206) 467-6292

- 1. This Court excludes all evidence of Loholt's sexual abuse of persons other than Plaintiff (reserving for resolution under separate motion the question of the admissibility of Richard Pettit's report to Bishop Borland concerning Loholt's touching of Mr. Pettit's son):
- 2. This Court excludes all evidence regarding damages suffered by persons other than Plaintiff R.K. as a result of Loholt's actions; and,
- 3. This Court excludes evidence of Defendants' settlements with the original Plaintiffs or any other persons.

DATED this day of , 2006

THE HONORABLE RICARDO S. MARTINEZ

Presented by:

GORDON MURRAY TILDEN LLP

By/

Charles C. Gordon, WSBA #1773 Jeffrey I. Tilden, WSBA #12219

Michael Rosenberger, WSBA #17730

Attorneys for Defendants

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## CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following. The parties will additionally be served in the manner indicated.

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